IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COOKEVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	
	)	No. 2:12-00005
v.	)	WILLIAM J. HAYNES, JR.
	)	Chief Judge, U.S. District Court
	)	
RONALD W. PAUL	)	

[handwritten annotations: Denied, Government response, in the Argument nature, this motion no denied, will be ..., 10-18-12]

RONALD W. PAUL'S MOTION TO STRIKE GOVERNMENT'S
UNTIMELY FILING AND FOR HEARING

COMES now the accused, **RONALD W. PAUL**, through counsel, Assistant Federal Public Defender, Isaiah S. Gant, and requests that this Honorable Court strike the Government's untimely response to Mr. Paul's motion to dismiss. (D.E. 27.) In support of this motion, Mr. Paul asserts the following:

Mr. Paul was indicted on May 16, 2012. (D.E. 1.) On August 3, 2012, Mr. Paul filed a motion to dismiss the indictment. (D.E. 22). Pursuant to the Local Criminal Rules for the United States District Court for the Middle District of Tennessee, when a party files a pretrial motion, "[a] memorandum in response shall be filed within fourteen (14) days after the motion is filed and served, unless the Court orders otherwise." L. Cr. 12.01(b).

Having received no response from the Government, Mr. Paul filed a motion asserting new, additional support for his motion to dismiss on September 27, 2012. (D.E. 25.)

Finally, on October 16, 2012, the government filed a response. (D.E. 27.) The response is captioned as a response to Mr. Paul's motion to consider additional citation, but the substance of the response addresses Mr. Paul's motion to dismiss. Either way, the motion is untimely – being nineteen days after the motion to consider additional citation and a full seventy-four days after Mr. Paul's motion to dismiss.

This Court has the authority to strike late-filed motions under its inherent power to manage its own docket. *See, e.g., American Civil Liberties Union of Ky. v. McCreary Cnty.*, 607 F.3d 439, 451 (6th Cir. 2010) ("[B]ased on the district court's power to manage its own docket,